

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X		
MINDEN PICTURES, INC.	:	
	:	
Plaintiff,	:	
	:	
-against-	:	
	:	23-CV-1776 (VEC)
FATHOM UNLIMITED, INC.	:	
	:	<u>ORDER</u>
	:	
Defendant.	:	
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VALERIE CAPRONI, United States District Judge:

WHEREAS on March 1, 2023, Plaintiff commenced this action, *see* Compl., Dkt. 1;

WHEREAS Plaintiff alleges that Defendant copied Plaintiff's copyrighted photograph and pasted the photograph on its commercial website, *see id.* ¶ 14;

WHEREAS Plaintiff alleges that the webpage displaying its photograph on Defendant's website is available at www.fathomaway.com/fathom-editors-best-travel-finds-04-07-2018, *id.* ¶ 15;

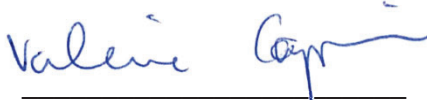
WHEREAS Plaintiff further alleges that a copy of the page is attached to its Complaint as Exhibit 2, *id.*; and

WHEREAS the alleged link to Defendant's website says the page displaying Plaintiff's photograph "does not exist," Plaintiff only last visited the website on August 1, 2021, and Plaintiff did not attach a copy of the website as "Exhibit 2" to the Complaint, *see id.*;

IT IS HEREBY ORDERED that not later than **Friday, March 10, 2023**, Plaintiff must file an amended complaint that addresses the deficiencies identified in this order.

SO ORDERED.

Date: March 2, 2023
New York, New York



VALERIE CAPRONI
United States District Judge